

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WALTER MONZANO-MORENO, FERNANDO
REYES

Plaintiffs,

-against-

LIBQUAL FENCE CO., INC. d/b/a LIBERTY
FENCE & RAILING, ANTHONY STRIANESE,
DIMA CANALES, DIMA C. FENCE, INC. and
ESTUARDO JUAREZ,

Defendants.
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Civil Action No.:
18-CV-00161(MKB)(AKT)

NOTICE OF MOTION

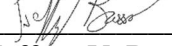
PLEASE TAKE NOTICE, that upon the annexed Declaration of Jeffrey V. Basso, Esq. dated February 28, 2020, the exhibits annexed thereto, Libqual Defendants' Local Rule 56.1 Statement of Undisputed Material Facts, the Affidavit of Estuardo Juarez dated February 28, 2020, the prior Affidavit of Anthony Strianese dated August 21, 2018, the accompanying Memorandum of Law, and upon the pleadings and proceedings herein, Defendants, LIBQUAL FENCE CO., INC. d/b/a LIBERTY FENCE & RAILING, ANTHONY STRIANESE, and ESTUARDO JUAREZ (collectively "Libqual Defendants"), by and through their attorneys, CAMPOLO, MIDDLETON & McCORMICK, LLP, will move this Court, at the United States Courthouse, Eastern District of New York, 100 Federal Plaza, Central Islip, New York 11722, upon submission, for an Order:

- (a) pursuant to Rule 56 of the Federal Rules of Civil Procedure, dismissing the Second Amended Complaint and each count thereof as against the Libqual Defendants, with prejudice; and
- (b) granting such other and further relief that this Court deems necessary and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court ordered briefing schedule, Plaintiffs' and/or co-Defendants' responsive papers, if any, shall be served upon counsel for the Defendants on or before March 27, 2020, and reply papers shall be served by April 10, 2020.

Dated: Ronkonkoma, New York
February 28, 2020

**CAMPOLO, MIDDLETON
& McCORMICK, LLP**

By: 
Jeffrey V. Basso, Esq.
Attorneys for Libqual Defendants
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TO: All Parties (via ECF)